

EXHIBIT C

Temporary Restraining Order

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States Securities and Exchange
Commission,

Plaintiff,

v.

Jonathan Larmore, et al.,

Defendants.

No. CV-23-02470-PHX-DLR

**TEMPORARY RESTRAINING
ORDER**

WHEREAS this matter has come before this Court upon motion of the Plaintiff U.S. Securities and Exchange Commission ("SEC" or "Plaintiff") for entry of an Order pending the adjudication of Plaintiff's forthcoming Motion for a Preliminary Injunction proving the following relief:

(1) temporarily restraining (i) Defendants Jonathan M. Larmore ("Larmore"), ArciTerra Companies, LLC ("ArciTerra"), ArciTerra Note Advisors II, LLC ("Fund II Advisors"), ArciTerra Note Advisors III, LLC ("Fund III Advisors"), and ArciTerra Strategic Retail Advisor, LLC ("ASR Advisor"), from violating Sections 206(1) and 206(2) of the Investment Advisers Act of 1940 ("Advisers Act") [15 U.S.C. §§ 80b-6(1) and 80b-6(2)]; and (ii) Defendants Larmore and Cole Capital from violating Sections 10(b) and 14(e) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. §§ 78j(b) and 78n(e)] and Rules 10b-5 and 14c-8 thereunder [17 C.F.R. §§ 240.10b-5 and 240.14c-8] (collectively, "Defendants");

1 (2) temporarily appointing a receiver in the above-captioned action to protect
2 investors in investment funds (the “ArciTerra Funds”) owned or controlled by one or
3 more of Defendants Larmore, ArciTerra, Fund II Advisors, Fund III Advisors and ASR
4 Advisor (collectively, and excluding Larmore, the “Receivership Defendants”);

5 (3) temporarily freezing the assets of the ArciTerra Funds, the Receivership
6 Defendants, and the known and unknown Affiliates of the Receivership Defendants
7 (collectively, the “Receivership Entities”),¹ and preserving those assets of the
8 Receivership Entities held in constructive trust for the Receivership Entities that were
9 fraudulently or improperly transferred out of the Receivership Entities to CSL
10 Investments, LLC (“CSL Investments”), Spike Holdings, LLC (“Spike Holdings”), MML
11 Investments, LLC (“MML Investments”), and JMMAL Investments, LLC (“JMMAL
12 Investments”) (collectively, the “Entity Relief Defendants”); and/or may otherwise be
13 includable as assets of the estates of the Receivership Entities (collectively, the
14 “Recoverable Assets”);

15 (4) temporarily staying all pending litigation and temporarily enjoining the
16 filing of any new bankruptcy, foreclosure, receivership, or other actions by or against the
17 Receivership Entities;

18 (5) ordering a verified accounting by all Defendants and all Relief Defendants;

19 (6) providing that the parties may take expedited discovery in preparation for a
20 preliminary injunction hearing;

21 (7) prohibiting Defendants from destroying, altering, or concealing documents;
22 and

23 (8) requiring all Defendants and Relief Defendants to show cause why this
24 order should not continue until resolution of the merits of the litigation.

25
26 ¹ For purposes of this Order, the term “Affiliate” has the meaning ascribed to it in
27 Rule 405 of the Securities Act of 1933, 17 C.F.R. §230.405 (“An affiliate of, or person
28 affiliated with, a specified person, is a person that directly, or indirectly through one or
more intermediaries, controls or is controlled by, or is under common control with, the
person specified.”). A non-exhaustive list of Receivership Entities is attached as Exhibit
A to this Order.

1 The Court has considered the Complaint filed by Plaintiff; Plaintiff's *ex parte*
2 motion for a temporary restraining order, the appointment of a receiver, asset freezes, and
3 other relief, including Plaintiff's supporting memorandum of law and supplemental
4 memorandum of points and authorities, the Declarations of Michael Foley and Heather E.
5 Marlow and the exhibits attached thereto. The Court has also considered the Opposition
6 of Defendants and the Limited Opposition of Intervenors.

7 Based upon the foregoing, the Court finds that a proper showing, as required by
8 Section 21(d) of the Exchange Act and Section 209(c) of the Advisers Act, has been
9 made for the relief granted herein, for the following reasons (a separate order addresses
10 the SEC's request for appointment of a receiver, anti-litigation injunction, and asset
11 freezes):

12 1. It appears from the evidence presented that (i) Defendants Larmore, Fund II
13 Advisors, and Fund III Advisors, have violated, and unless temporarily restrained, will
14 continue to violate, Sections 206(1) and 206(2) of the Advisers Act [15 U.S.C. §§ 80b-
15 6(1) and 80b-6(2)]; (ii) Defendants Larmore, ArciTerra, and ASR Advisor have aided and
16 abetted violations of, and unless temporarily restrained, will continue to aid and abet
17 violations of, Sections 206(1) and 206(2) of the Advisers Act [15 U.S.C. §§ 80b-6(1) and
18 80b-6(2)]; and (iii) Defendants Larmore and Cole Capital have violated, and unless
19 temporarily restrained, will continue to violate, Sections 10(b) and 14(e) of the Exchange
20 Act [15 U.S.C. §§ 78j(b) and 78n(e)] and Rules 10b-5 and 14e-8 thereunder [17 C.F.R.
21 §§ 240.10b-5 and 240.14e-8].

22 2. It appears that an order requiring Defendants and Relief Defendants to
23 provide a verified accounting of their assets, including the use of the Receivership
24 Entities' assets, is necessary to effectuate and ensure compliance with the freeze imposed
25 on their assets and to locate assets for the benefit of investors.

26 3. It appears that expedited discovery is necessary to aid in the preparation for
27 any hearing on conversion of the TRO to a preliminary injunction.
28

6. There is good cause to schedule the hearing for preliminary injunction on February 27, 2023, because of the complex nature of the case, the schedule of the parties, the recent retention of counsel for Defendants, and the consent of the Defendants.

I.

IT IS FURTHER ORDERED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Order by personal service or otherwise: (a) Defendants' officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendants or with anyone described in (a).

II.

- 4 -

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1 using any means or instrumentality of interstate commerce, or of the mails, or of any
2 facility of any national securities exchange, in connection with the purchase or sale of
3 any security:

- 4 (a) to employ any device, scheme, or artifice to defraud;
5 (b) to make any untrue statement of a material fact or to omit to state a material
6 fact necessary in order to make the statements made, in the light of the
7 circumstances under which they were made, not misleading; or
8 (c) to engage in any act, practice, or course of business which operates or
9 would operate as a fraud or deceit upon any person.

10 **IT IS FURTHER ORDERED** that, as provided in Federal Rule of Civil
11 Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual
12 notice of this Order by personal service or otherwise: (a) Defendants' officers, agents,
13 servants, employees, and attorneys; and (b) other persons in active concert or
14 participation with Defendants or with anyone described in (a).

15 **III.**

16 **IT IS FURTHER ORDERED** that, pending a hearing and determination of
17 Plaintiff's Application for a Preliminary Injunction, Defendants Larmore and Cole
18 Capital are temporarily restrained and enjoined from violating Section 14(e) of the
19 Exchange Act [15 U.S.C. § 78n(e)] and Rule 14e-8 [17 C.F.R. § 240.14e-8] promulgated
20 thereunder, in connection with any tender offer or request or invitation for tenders, from
21 engaging in any fraudulent, deceptive, or manipulative act or practice, by: (1) making
22 untrue statements of a material fact or omitting to state material facts necessary in order
23 to make the statements made, in the light of the circumstances under which they were
24 made, not misleading; and (2) engaging in fraudulent, deceptive, or manipulative acts or
25 practices, in connection with a tender offer.

26 **IT IS FURTHER ORDERED** that, as provided in Federal Rule of Civil
27 Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual
28 notice of this Final Judgment by personal service or otherwise: (a) Defendants' officers,

1 agents, servants, employees, and attorneys; and (b) other persons in active concert or
2 participation with Defendants or with anyone described in (a).

3 **IV.**

4 **IT IS FURTHER ORDERED** that, pending a hearing and determination of
5 Plaintiff's Application for a Preliminary Injunction, Defendant Larmore and Relief
6 Defendants Marcia Larmore and Michelle Larmore shall file with this Court and serve
7 upon Plaintiff, by no later than **January 26, 2024**, a verified written accounting signed
8 under penalty of perjury, of their assets and their use of the Receivership Entities' assets,
9 by email (sent to hanjo@sec.gov) on Plaintiff's counsel, John Han, Securities and
10 Exchange Commission, 44 Montgomery St., Suite 2800, San Francisco, California
11 94104.

12 **V.**

13 **IT IS FURTHER ORDERED** that discovery in advance of a hearing on
14 Plaintiff's Application for a Preliminary Injunction is expedited as follows: pursuant to
15 Rules 26, 30, 34, and 45 of the Federal Rules of Civil Procedure, and without the
16 requirement of a meeting pursuant to Fed. R. Civ. P. 26(f), the parties may (unless
17 otherwise agreed by the parties):

- 18 (1) Take depositions, subject to seven (7) calendar days' notice by email, or
19 otherwise;
- 20 (2) Obtain the production of documents from parties within fourteen (14)
21 calendar days from service by email, or by means that provide actual
22 notice, of a request or subpoena;
- 23 (3) Obtain the production of documents from third-parties, within fourteen (14)
24 calendar days from service by email, or by means that provide actual notice
25 of a request or subpoena from any persons or entities, including non-party
26 witnesses;
- 27 (4) Make service of any discovery requests, notices, or subpoenas by email,
28 personal service, facsimile, overnight courier, or first-class mail on an

individual, entity, or the individual's or entity's attorney.

(5) The Parties shall meet and confer regarding expedited discovery and inform the court of any disagreements by January 17, 2024.

VI.

IT IS FURTHER ORDERED that, pending a hearing and determination of Plaintiff's Motion for a Preliminary Injunction, Defendants, any person or entity acting at their direction or on their behalf, and any other third party, be and hereby are (1) enjoined and restrained from destroying, altering, concealing, or otherwise interfering with the access of Plaintiff and the Receiver to any and all documents, books, and records that are in the possession, custody or control of Defendants, the Receivership Entities, and each of their respective officers, agents, employees, servants, accountants, financial or brokerage institutions, or attorneys-in-fact, subsidiaries, affiliates, predecessors, successors, and related entities, that refer, reflect or relate to the allegations in the Complaint, including, without limitation, documents, books and records referring, reflecting, or relating to Defendants' and Receivership Entities' finances or business operations, or the offer, purchase, or sale of securities and the use of proceeds therefrom; and (2) ordered to provide all reasonable cooperation to the Receiver in carrying out his duties set forth herein.

VII.

IT IS FURTHER ORDERED that this Order shall be, and is, binding upon Defendants and Relief Defendants, and each of their respective officers, agents, servants, employees, attorneys-in-fact, subsidiaries, affiliates, and those persons in active concert or participation with them who receive actual notice of this Order by personal service, facsimile service, or otherwise.

VIII.

IT IS FURTHER ORDERED that, for good cause and with the consent of the Defendants, Plaintiff, each Defendant, and each Relief Defendant or their attorneys shall appear before this Court at 9:00 o'clock, a.m., on the 27th day of February, 2024, in

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1 Courtroom 606 of the United States Courthouse, Phoenix, Arizona, to show cause, if any
2 exists, why this Court should not enter a preliminary injunction extending the temporary
3 restraining order, appointment of receiver, asset freeze, and other relief granted in this
4 Order until a final adjudication on the merits may be had. Plaintiffs shall file by ECF its
5 motion for preliminary injunction by February 15, 2024. Defendants and Relief
6 Defendants shall file any oppositions to the motion for preliminary injunction by
7 February 21, 2024. The Plaintiff shall file any reply by February 23, 2024. This Order
8 shall remain in full force and effect pending further order of the Court.

9 **SO ORDERED.**

10 Dated this 21st day of December, 2023.

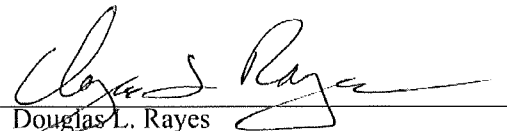
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15 Douglas L. Rayes
16 United States District Judge
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EXHIBIT A

EXHIBIT A

RECEIVERSHIP ENTITIES

1000 WEST MARION PG FL, LLC
1921 GALLATIN PIKE NASHVILLE TN, LLC
2006 OPERATING PARTNERSHIP, L.P.
2513 E NORTH STREET KENDALLVILLE IN, LLC
412 CROSS OAKS MALL PLAINWELL ML, LLC
5339 ELVIS PRESLEY BLVD. MEMPHIS TN, LLC
5450 US HIGHWAY 80 EAST PEARL MS, LLC
60 COLONIAL PROMENADE PARKWAY ALABASTER AL, LLC
601 RETTA FL, LLC
601 TRENTON ROAD MCALLEN TX, LLC
613 RETTA FL, LLC
700 NORTH GRAND AVENUE MT. PLEASANT, 1A, LLC
751W RETTA ESPLANDE FL, LLC
752 SOUTH ANDY GRIFFITH PARKWAY MT AIRY NC, LLC
7525 PINE VALLEY LANE OWNER, LLC
8001 VAUGHN ROAD MONTGOMERY AL, LLC
81 JAMESON LANE GREENVILLE AL, LLC
880 W MARION AVE FL, LLC
900 WEST MARION AVENUE FL, LLC
ALOHA POP UP PRODUCTIONS, LLC
ARCITERRA AA BARBOURVILLE KY, LLC
ARCITERRA AA LINCOLN NE, LLC
ARCITERRA AA MANISTEE ML, LLC
ARCITERRA AA PAPILLION NE, LLC
ARCITERRA AA PEARL MS, LLC
ARCITERRA AA THEODORE AL, LLC
ARCITERRA AA WEST LIBERTY KY, LLC
ARCITERRA AZ SLIDELL LA, LLC
ARCITERRA AZ TEMPLE GA, LLC
ARCITERRA AZ WILLIS TX, LLC
ARCITERRA BELL YORK SC, LLC
ARCITERRA BP OLATHE KS, LLC
ARCITERRA CH NEW ORLEANS LA, LLC

ARCITERRA COMMERCIAL PROPERTY REIT, LP
ARCITERRA COMMERCIAL PROPERTY REIT, INC.
ARCITERRA COMPANIES, LLC
ARCITERRA CV LAFAYETTE LA, LLC
ARCITERRA CV TARPON SPRINGS FL, LLC
ARCITERRA DESIGN, LLC
ARCITERRA DG CAMPBELLSVILLE KY, LLC
ARCITERRA DG GREENVILLE KY, LLC
ARCITERRA DG JUNCTION CITY KY, LLC
ARCITERRA DG MEMPHIS TN, LLC
ARCITERRA DG NORTH BEND OH, LLC
ARCITERRA DG RAVENNA KY, LLC
ARCITERRA DG SHEPHERDSVILLE KY, LLC
ARCITERRA DG SOUTH CHARLESTON OH, LLC
ARCITERRA DG WISTER OK, LLC
ARCITERRA DKS GRAND CHUTE WI, LLC
ARCITERRA FD BOWMAN SC, LLC
ARCITERRA FD EHRHARDT SC, LLC
ARCITERRA FD GREELEYVILLE SC, LLC
ARCITERRA FD PAXVILLE SC, LLC
ARCITERRA FD TUBERVILLE SC, LLC
ARCITERRA FESTIVAL MONTGOMERY AL, LLC
ARCITERRA GC JOHNSON CITY NY, LLC
ARCITERRA GREYSTONE HOOVER AL, LLC
ARCITERRA GROUP, LLC
ARCITERRA HD HENDERSONVILLE TN, LLC
ARCITERRA HD MCALLEN TX, LLC
ARCITERRA KLS JENSEN BEACH FL, LLC
ARCITERRA KLS WARSAW IN, LLC
ARCITERRA KLS WAUSAU WI, LLC
ARCITERRA MICHIGAN ROAD INDIANAPOLIS IN, LLC
ARCITERRA MOV GAL GODDARD KS, LLC
ARCITERRA MOV GAL PARK CITY KS, LLC
ARCITERRA MW NASHVILLE TN, LLC
ARCITERRA NATIONAL REIT, INC.
ARCITERRA NATIONAL REIT, LP
ARCITERRA NOBLE WEST NOBLESVILLE IN, LLC

ARCITERRA NOTE ADVISORS II, LLC
ARCITERRA NOTE ADVISORS III, LLC
ARCITERRA NOTE FUND II LLC
ARCITERRA NOTE FUND III LLC
ARCITERRA NS INVESTMENT CO.
ARCITERRA OFF PEP PEARL MS, LLC
ARCITERRA OLATHE POINTE OLATHE KS LLC
ARCITERRA OPPORTUNITY FUND I, LLC
ARCITERRA OR BATTLE CREEK ML, LLC
ARCITERRA OS MT. PLEASANT IA, LLC
ARCITERRA REAL ESTATE INVESTMENT TRUST, INC.
ARCITERRA REGIONS LAMARQUE TX, LLC
ARCITERRA REIT I MEMBER, LLC
ARCITERRA REIT I MEMBER, LLC
ARCITERRA REIT I MEMBER, LLC
ARCITERRA REIT RSC, LP
ARCITERRA REIT, LP
ARCITERRA SHOPPES AT ALABASTER AL, LLC
ARCITERRA STAR LANCASTER OH, LLC
ARCITERRA STRATEGIC INCOME CORPORATION-BELLEVILLE CROSSING IL
ARCITERRA STRATEGIC RETAIL - SUFFOLK VA, LLC
ARCITERRA STRATEGIC RETAIL ADVISOR, LLC
ARCITERRA STRATEGIC RETAIL ADVISOR, LLC
ARCITERRA STRATEGIC RETAIL REIT, INC.
ARCITERRA STRATEGIC RETAIL-ELYRIA OH, LLC
ARCITERRASTRATEGIC RETAIL-PLAINFIELD VILLAGEUM, LLC
ARCITERRA STRATEGIC RETAIL-PLAINFIELD VILLAGE IN, LLC
ARCITERRA STRATEGIC RETAIL-WHEATLAND IL, LLC
ARCITERRA S-W BURTON ML, LLC
ARCITERRA S-W KALAMAZOO ML, LLC
ARCITERRA S-W LORAIN OH, LLC
ARCITERRA USB BISMARK ND, LLC
ARCITERRA USB NEW ALBANY OH, LLC
ARCITERRA USB ROCHESTER MN, LLC
ARCITERRA VERMONT INDIANAPOLIS IN, LLC
ARCITERRA VN CLARKSVILLE TN, LLC ~
ARCITERRA VN COLUMBIA TN LLC

ARCITERRA VN DICKSON TN, LLC
ARCITERRA VZ HOME GA, LLC
ARCITERRA VZ ROME GA, LLC
ARCITERRA WALCENT GREENVILLE AL, LLC
ARCITERRA WALCENT KENDALLVILLE IN, LLC
ARCITERRA WALCENT PLAINWELL ML, LLC
ARCITERRA WESTGAGE INDIANAPOLIS MEMBER, LLC
ARCITERRA WESTGATE INDIANAPOLIS IN II, LLC
ARCITERRA WESTGATE INDIANAPOLIS IN, LLC
ARCITERRA WG HOMETOWN IL, LLC
ARCITERRA WG KILMARNOCK VA, LLC
ARCITERRA WG MILWAUKEE WL, LLC
ARCITERRA WHITEFISH ADVISORS, LLC
ARCITERRA WHITEFISH OPPORTUNITY FUND, LLC
ARCITERRA WM DOUGLASVILLE GA, LLC
ASR REITLP
AT 18 MILE CENTRAL SC, LLC
AT ALTUS CUMBERLAND GA II, LLC
AT ALTUS CUMBERLAND GA, LLC
AT ALTUS CUMBERLAND MEMBER, LLC
AT ALTUS ECHELON IN, LLC
AT ALTUS ROSWELL GA, LLC
AT AUBURN PLAZA IN II, LLC
AT AUBURN PLAZA IN, LLC
AT AUBURN PLAZA MEMBER, LLC
AT BELLEVILLE CROSSING IL-INLINE, LLC
AT BELLEVILLE CROSSING IL-OUTLOTS LLC
AT BLOOMINGTON IL, LLC
AT BOUTTE LA, LLC
AT BRIARGATE IL, LLC
AT BUENA VISTA GA, LLC
AT CANAL WINCHESTER OH, LLC
AT CASTLETON IN ASSOCIATION MANAGER, LLC
AT CASTLETON IN MEMBER II, LLC
AT CASTLETON IN MEMBER, LLC
AT CASTLETON IN MEMBER, LLC
AT CASTLETON IN OWNER II, LLC

AT CASTLETON IN OWNER, LLC
AT CASTLETON IN OWNER, LLC
AT CASTLETON IN OWNER, LLC
AT CEDARTOWN GA OUTLOT, LLC
AT CEDARTOWN GA, LLC
AT CENTERVILLE GA, LLC
AT COLONY FITZGERALD GA LLC
AT CONCORD, LLC '
AT DILLON SC OUTLET, LLC
AT EASTMAN GA II, LLC
AT EASTMAN GA, LLC
AT EASTMAN GA, LLC
AT EASTMAN MEMBER, LLC
AT ELYRIA OH INLINE, LLC
AT ELYRIA OH OUTLOT, LLC
AT FL CONSTRUCTION, LLC
AT FORUM KY MEMBER II, LLC
AT FORUM KY MEMBER, LLC
AT FORUM KY MEMBER, LLC
AT FORUM LOUISVILLE KY II, LLC
AT HL BURLINGTON IAI, LLC
AT HL BURLINGTON IA, LLC
AT HL BURLINGTON MEMBER, LLC
AT JEFFERSON CENTER FW IN OWNER, LLC
AT JEFFERSON CENTER FW IN, LLC
ATJPM LINDENHURST IL, LLC
AT LIMA PLAZA FW IN OWNER, LLC
AT LIMA PLAZA FW IN, LLC
AT LINDENHURST IL, LLC
AT LONGVIEW MEMBER, LLC
AT LONGVIEW OUTLOT NORTHEAST, LLC
AT LONGVIEW OUTLOT WEST, LLC
AT LONGVIEW TXII, LLC
AT LONGVIEW TX, LLC
AT LUBBOCK TX, LLC
AT MAX FW IN OWNER, LLC '
AT MAX FW IN, LLC

AT MAYODAN MEMBER, LLC
AT MAYODAN NCII, LLC
AT MAYODAN NC, LLC
AT MF VEGAS, LLC
AT MIDWAY ELYRIA OH, LLC
AT ML LEASEHOLD HI, LLC
AT ML MANAGEMENT HI LLC
AT MMH HI LLC
AT MT. PLEASANT LOT 2, LLC
AT NEW LENOX IL-GL, LLC
AT NEW LENOX IL- INLINE, LLC
AT NEW LENOX IL-INLINE II, LLC
AT NEW LENOX IL-OUTLOTS, LLC
AT NEW LENOX-IL MEMBER, LLC
AT NEW WEST CLIFTON CO, LLC
AT OLATHE MANAGER, LLC
AT OLATHE MANAGER, LLC
AT PINE VALLEY FW IN OWNER, LLC
AT PINE VALLEY FW IN, LLC
AT PLAINFIELD VILLAGE IN II, LLC
AT PLAINFIELD VILLAGE IN, LLC
AT PLAINFIELD VILLAGE MEMBER, LLC
AT PORTLAND COMMONS IN OWNER, LLC
AT PORTLAND COMMONS IN, LLC
AT PT DANVILLE IL II, LLC
AT PT DANVILLE IL, LLC
AT PT DANVILLE MEMBER, LLC
AT SALEM IL OUTLOT, LLC
AT SALISBURY NC OUTLOT, LLC
AT SANDERSVILLE GA, LLC
AT SEVEN HILLS AURORA CO II, LLC
AT SEVEN HILLS AURORA CO, LLC
AT SEVEN HILLS AURORA CO, LLC
AT SEVEN HILLS AURORA MEMBER, LLC
AT STATESBORO SQUARE GA, LLC
AT SUFFOLK VA2B-2, LLC
AT SUFFOLK VA2B-3, LLC

AT SUFFOLK VA2B-5, LLC
AT SUFFOLK VA 2B-6, LLC
AT SUFFOLK VABWW, LLC
AT SUFFOLK VA SC, LLC
AT SUWANEE DEPOT GA, LLC
AT SWEDEN MEMBER, LLC
AT SWEDEN NY II, LLC
AT SWEDEN NY, LLC
AT SWEEDEN NY OUTLOT, LLC
AT TIFFANY SQUARE ROCKY MOUNT NC, LLC
AT TOWNE SQUARE ROME GA, LLC
ATVILLA PLATTE LA II, LLC
AT VILLA PLATTE MEMBER, LLC
AT VILLE PLATTE LA, LLC
AT WHEATLAND NAPERVILLE IL, LLC
AT WILDWOOD PLAZA MO, LLC
ATA CHERRY CREEK IL, LLC
ATA CYPRESS TOWN CENTER TX, LLC
ATA FISHVILLE FL, LLC
ATA FISHVILLE MANAGEMENT, LLC
ATA FORUM LOUISVILLE KY, LLC
ATA FORUM LOUISVILLE, LLC
ATA HIRAM SQUARE GA, LLC
ATA LANIER FAYETTEVILLE GA II, LLC
ATA LANIER FAYETTEVILLE GA, LLC
ATA LANIER FAYETTEVILLE MEMBER, LLC
ATA MERCADO ST. AUGUSTINE FL, LLC
ATA PALENCIA ST. AUGUSTINE FL, LLC
ATA PLAZA OK, LLC
ATA PRESTON PLAZA KY, LLC
ATA ROGERS BRIDGE GA, LLC
ATA STONE LITHONIA GA, LLC
ATA TRINITY PLACE TN, LLC
ATG REIT RSC, LP
ATR 32, LLC
BPS, L.L.C.
BPS, L.L.C. OF ALABAMA

BELLEVILLE IL OUTLOT 6, LLC
BLACK POINT RD, LLC
BREWHOUSE CENTER COURT, LLC
CASTLETON SHOPPING CENTER MK DISPOSITION, LLC
CASTLETON SHOPPING CENTER MK DISPOSITION, LLC
CHOVIA SHOPS MT AIRY NC, LLC
CSL INVESTMENTS, LLC
COLE CAPITAL FUNDS, LLC
DB COMMERCIAL MANAGEMENT, LLC
FISHVILLE KIOSK MEMBER, LLC
FK TELLURIDE, LLC
FUDGE IS US PG, LLC
FV BUILDING 13, LLC
FV BUILDING 15, LLC
GLENROSA 32, LLC
HARBOURVIEW MARKETPLACE, LLC
HARBOURVIEW STATION WEST, LLC
HELENA STAR MT, LLC
JB FISHVILLE HARBOR LAND LLC
JB FISHVILLE RETAIL LAND LLC
JB FORUM LAND, LLC
JB ML LAND HI, LLC ~
JB OLATHE OUTLOT 2, LLC
JB RE INVESTMENTS, LLC
JB SEVEN HILLS, LLC
JB SEVEN HILLS, LLC
JB TRANSPORTATION, LLC
JBM ACQUIST10NS LLC
JJ RESTAURANT HOLDINGS, LLC
JMLBC G4, LLC
JML MANAGER, LLC
JML TRUST MANAGER, LLC
LEGAL FLOAT LENDING, LLC
LOUISVILLE RESTAURANT PARTNERS, LLC
LOWER 5629 ROCKRIDGE ROAD, LLC
MML INVESTMENTS, LLC
JMMAL INVESTMENTS, LLC

MONTGOMERY MATTRESS, LLC
MONTGOMERY MATTRESS, LLC
PG HOSPITALITY, LLC
PG WATERFRONT HOSPITALITY, LLC
PT PLAZA, LLC
SAML BAR AND GRILL, LLC
SPIKE HOLDINGS AZ, LLC
STAR MT, LLC
STAR OH, LLC
THE EXCHANGE PLAINWELL ML, LLC
UPPER 5629 ROCKRIDGE ROAD, LLC
VBH PG, LLC
WALCENT ARKADELPHIA AK, LLC
WALCENT ELK/IN, LLC
WALCENT KENDALLVILLE IN, LLC
WALCENT LAWTON OK, LLC
WALCENT MORRILTON AK, LLC
WALCENT NEWC/IN, LLC
WALCENT PLAINWELL ML, LLC
WALCENT SHELBY ML, LLC
WALCENT SHOPS SUWANEE GA, LLC
WALCENT WAYNESBORO MS, LLC
WAWASEE WATERCRAFTS, LLC
WHEATLAND CROSSING OWNERS ASSOCIATION
WHEATLAND MARKETPLACE LOT 7 CONDOMINIUM ASSN.
WHITEFISH OPPORTUNITY FUND, LLC